

SANTA-FE GAZETTE.

VOLUME II.

SANTA FE, NEW MEXICO, NOVEMBER 3, 1860.

NUMBER 26. (NEW SERIES.)

ADVERTISEMENTS.

NOTICE

TO THE INHABITANTS OF NEW MEXICO.

The Surveyor General of New Mexico, by act of Congress approved on the 20th July, 1854, is required to make a full report on all claims as originated before the coming of the Territory to the United States by the treaty of Guadalupe Hidalgo, of 1848, denoting the various grades of title, with his decision thereon, as to the validity or invalidity of each of the same, under the laws, usages, and customs of the country before its cession to the United States. And he is also required to make a report in regard to all Pueblo existing in the Territory, showing the extent and locality of each; stating the number of inhabitants in the said Pueblo respectively, and the nature of their title to the land. Such report is to be made according to the form which may be prescribed by the Secretary of the Interior; which report shall be laid before Congress for such action thereon as may be deemed just and proper, with a view to continue long the grants and give full effect to the treaty of 1848, between the United States and Mexico.

Claimants, in every case, will be required to file the same, setting forth the name of the person claiming, the name of the "original grant," nature of claim, whether inclusive or perfect, its date, from what authority the original title was derived, with a reference to the evidence of the power, and authority under which the granting officer may have acted; quantity claimed, locality, notice and extent of conflicting claims, if any, with a reference to the documentary evidence and testimony relied upon to establish the claim, and to show transfer of right from the "original grantee" to "present claimant."

Every claimant will also be required to furnish an authenticated plat of survey, if a survey has been made, or a correct evidence, showing the precise locality and extent of the tract claimed.

To enable the Surveyor General to execute the duty thus imposed upon him by law, he has to request all individuals who have claimed land in New Mexico before the treaty of 1848, to produce the evidences of such claims at his office, at Santa Fe, at soon as possible.

ALEX. P. WILKIN,
Surveyor General New Mexico.

Santa Fe, N. M.

Oct. 20th.

6-m.

AVISO

A LOS HABITANTES DEL NUEVO MEXICO.

Al Agrupador General de Nuevo Mexico se le requiere, por un decreto del Congreso aprobado el 20 de Julio de 1854, que de "un informe amplio de todos aquellos reclamos que se originaron antes de que fuese cedido al Territorio de los Estados Unidos, por el Tratado de Guadalupe Hidalgo, de 1848; indicando los varios grados de titulo, con su decision, segun la validez o invalidez de cada uno, segun las leyes, usos y costumbres del pais, antes de ser cedido a los Estados Unidos." Y tambien se le requiere que "de un informe tambien a todos los Pueblos (de Indios) que existen en el Territorio, mostrando la extension (localidad) de cada uno, manifestando el numero de habitantes que han en cada Pueblo respectivamente, la naturaleza de sus titulos al terreno. Dicho informe se hara segun el formulario que proveerá el Ministro del Interior, cuyo informe se pondrá ante el Congreso, para que, en virtud de la ley, se decida sobre cada reclamo, con la idea de establecer mercedos bona fide, y darle el entero cumplimiento al Tratado de 1848, entre los Estados Unidos y la Republica de Mexico."

En todo caso, a los que reclaman terreno se les requerirá, para poder dar un informe, manifestando el nombre del "reclamante actual," el nombre del "reclamante original," la naturaleza del reclamo, si es completo, incompleto, de forma perfecta o imperfecta, su fecha, la autoridad con referencia a las pruebas de la facultad o autoridad con que otorgó el mismo, con referencia a la cantidad que se reclama, la localidad, y con referencia a la evidencia documental, la naturaleza de los titulos al terreno. Dicho informe se hara segun el formulario que proveerá el Ministro del Interior, cuyo informe se pondrá ante el Congreso, para que, en virtud de la ley, se decida sobre cada reclamo, con la idea de establecer mercedos bona fide, y darle el entero cumplimiento al Tratado de 1848, entre los Estados Unidos y la Republica de Mexico."

Para que el Agrupador General pueda cumplir con el deber que en la ley le es impuesto, le es requerido a todos aquellos individuos que reclaman terreno, que presenten a su oficina, en Santa Fe, los evidencias de sus reclamos, segun el formulario que proveerá el Ministro del Interior, cuyo informe se pondrá ante el Congreso, para que, en virtud de la ley, se decida sobre cada reclamo, con la idea de establecer mercedos bona fide, y darle el entero cumplimiento al Tratado de 1848, entre los Estados Unidos y la Republica de Mexico."

ALEX. P. WILKIN,
Agrupador General del Nuevo Mexico.

Santa Fe, N. M.

Oct. 20, de 1860.

6-m.

THE UNITED STATES OF AMERICA, County of Santa Fe.

First Judicial District Court.

August Term, A. D. '60.

ROMANA PANDOLFO, Plaintiff.

vs.

PABLO LIZAS, Defendant.

In Chancery, for Divorce.

Be it remembered, that on the 11th day of said August Term 1860, of said Court, the same being the 17th of said month, the following order was made: In the above entitled case.

It appearing by the sworn bill in this cause that the defendant is a non-resident of this Territory. It is ordered by the Court, that publication be made in the Santa Fe Gazette, for eight successive publications, the last publication to be made at least one month before the first day of the next term of this court, requiring the said defendant to appear, answer, or demur, to the said bill, on or before the next term of this court, or the same will be taken as confessed as against him.

Witness the Hon. Kirby Benedict Chief Justice, and ex officio presiding Judge of the First Judicial District Court and the Seal of said Court this 20th day of August A. D. 1860.

Sept 3-5-1.

SEAN. ELIZON, Clerk.

NOTICE

The undersigned having obtained letters of administration on the estate of H. G. Gann deceased agent of Brigist from all persons knowing the said estate to said estate are hereby notified to pay and settle without delay with the administrator; and all persons having claims against the estate of said Brigist Gann are hereby notified to present the same for allowance before the Hon. Probate Court of this County within one year from this date.

ALBERT ELLIOTT, Administrator.

Santa Fe October 18th, 1860.

3-10

EDWARD MILLER,

BASKET AND CHAIR-MAKER.

Has just received from New York a fine assortment of fancy willow work of all descriptions. His stock consists of chairs of all conceivable kinds—Settees, Tables, Bedsteads, Cradles, Flower stands, Sewing Tables, Jewelry Cases, Larders, Hair Brushes, with or without embroidery, baskets of all kinds, etc., etc. Ladies are particularly requested to give him a call before going elsewhere.

Residence directly opposite the Post-Office, Santa Fe, N. M.

Oct. 12.

2-1.

BUSINESS NOTICE.

JOHN S. WATTS.

During the months of November, December, January, February, and March, I will be in the City of Washington, and as heretofore will give my personal attention to any business from New Mexico which may be referred to my care—by proceeding before the Court of Claims, the Supreme Court, or any of the Departments.

Santa Fe, N. M.

Oct. 12.

1-5.

WILLIAM MORRISON.

Manufacturer and Dealer in Tin Copper and Sheet Iron Ware, PARLOUR, COOKING AND HEATING STOVES, FOR COAL AND WOOD.

Japanese Ware, Hollow Ware, Etc. We will dispense any St. Louis bill, Tin Plate Wire and Sheet Iron at a small advance on St. Louis prices.

Main Street near the Lavee, Keweenaw City Mo.

AVISO DE ABOGADO.

JOHN S. WATTS.

Durante los meses de Noviembre, Diciembre, Enero, Febrero, y Marzo, me hallare en la Ciudad de Washington, y como heretofore, prestare mi atencion personal a cualquier negocio del Nuevo Mexico que me sea remitido a mi cargo para proseguir delante de la Corte de Reclamaciones, la Corte Suprema, o en alguno de los Departamentos.

Santa Fe, N. M. Oct. 12. 1860-1-5.

JOHN S. WATTS.

JACKSON & WATTS,

ATTORNEYS AT LAW—SANTA FE, N. M.

Prompt attention given to any business entrusted to their care.

A. M. JACKSON, J. HOWE WATTS.

Oct. 12.

4-m.

JAMES H. CLIFT,

AGENTS.

Will promptly attend to all business in his line—private, if requested, as well as public. Collections, on Commission, will also be taken and attended to by him, on reasonable terms.

Santa Fe, N. M., Sept. 22-1-6. 4-m.

SANTA FE WEEKLY GAZETTE.

"Independent in all things, Neutral in nothing."

JAMES L. CHAMBERS, PUBLISHER.

JOHN T. RUSSELL, EDITOR.

SANTA FE, SATURDAY, NOVEMBER 3, 1860.

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PUBLISHED BY AUTHORITY.

RESOLUTIONS.

(No. 12.) A Resolution authorizing the Enlargement of, and Construction of a Branch to, the Louisville and Portland Canal.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President and Directors of the Louisville and Portland Canal Company be, and they are hereby, authorized, with the revenues and credits of the company, to enlarge the said canal and to construct a branch canal from a suitable point on the south side of the present canal, to a point in the Ohio River, opposite Sand Island, sufficient to pass the largest class of steam-vessels navigating the Ohio River: Provided, That nothing herein contained, shall authorize the said president and directors, directly or indirectly, to use or pledge the faith or credit of the United States for the said enlargement or construction. It hereby being expressly declared, that the government of the United States shall not be in any manner liable for said enlargement and construction: Provided, further, That when said canal is enlarged and its branch canal constructed and the cost of said improvements paid for, no more tolls shall be collected than an amount sufficient to keep the canal in repair and pay for all necessary superintendence and management.

Approved, May 24, 1860.

(No. 20.) A Resolution explanatory of the Eighth Section of the Act of Congress approved February 20th, 1858.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the repeal of [by] the eighth section of the Act of Congress, approved the 28th day of February, 1850, of so much of the Act of Congress entitled "An act to regulate trade and intercourse with Indian tribes, and to preserve peace on the frontiers," approved June 30th, 1834, as provides that the United States shall make indemnification out of the treasury for property taken or destroyed in certain cases by Indians trespassing on white man, as described in said act, shall not be construed to destroy or impair any right to indemnity which existed at the date of said repeal.

Approved, June 25, 1860.

(No. 27.) Joint Resolution to reduce the Price of Public Printing.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the prices established and allowed for the public printing by the act entitled "An act to provide for executing the public printing and establishing the prices thereof, and for other purposes," approved August 26, 1852, and by the several acts amendatory thereof, that is to say: for composition, presswork, folding, stitching, and inserting maps and plates, be, and the same are, reduced forty per centum; and that, for the purpose of giving full force and effect to this resolution, the Superintendent of the Public Printing is hereby authorized and directed to cause the accounts of the public printer or printers to be made out and rendered to him, as heretofore, under the provisions of the act of August 26th, 1852, (except as to the printing of the Post-Office blanks, which have been ordered by law to be put out by contract to the lowest bidder;) and before certifying the same to the Treasury for payment, he shall deduct from the aggregate amount of each account so rendered the sum of forty per centum, and the residue shall be received by the public printer or printers as full compensation for the work stated in said contract. This resolution shall take effect from the passage thereof.

APPROVED, JUNE 25, 1860.

TREATIES.

Treaty of Peace, Amity, and Commerce, between the United States of America and China. Concluded at Tientsin, June 18th, 1858; Ratified by the United States, December 24th, 1858, and proclaimed by the President of the United States January 26, 1860.

BY THE PRESIDENT OF THE UNITED STATES:

A PROCLAMATION.

WHEREAS a treaty between the United States of America and the Ta-Tsing Empire was concluded and signed at Tientsin by their respective plenipotentiaries, on the 18th day of June, 1858, the said treaty is, word for word, as follows:

The United States of America and the Ta-Tsing Empire, desiring to maintain firm, lasting, and sincere friendship, have resolved to renew, in a manner clear and positive, by means of a treaty or general convention of peace, amity, and commerce, the rules which shall in future be mutually observed in the intercourse of their respective countries; for which most desirable object the President of the United States and the august sovereign of the Ta-Tsing Empire have named for their plenipotentiaries, to wit: the President of the United States of America, William B. Reed, Envoy Extraordinary and Minister Plenipotentiary to China; and his Majesty the Emperor of China, Kweliang, a member of the Privy Council and Superintendent of the Board of Pensions; and Hwahana, President of the Board of Civil Office and Major General of the Bordered Blue Banner Division of the Chinese Banner-men, both of them being Imperial Commissioners and Plenipotentiaries; and the said plenipotentiaries, in virtue of the respective full powers they have received from their governments, have agreed upon the following articles:

ARTICLE I. There shall be, as there have always been, peace and friendship between the United States of America and the Ta-Tsing Empire, and between their people, respectively. They shall not insult or oppress each other for any trifling cause, so as to produce an estrangement between them; and if any other nation should act unjustly or oppressively, the United States will exert their good offices, on being informed of the case, to bring about an amicable arrangement of the question, thus showing their friendly feelings.

ART. II. In order to perpetuate friendship, on the exchange of ratifications by the President, with the advice and consent of the Senate of the United States, and by his Majesty the Emperor of China, this treaty shall be kept and secretly guarded in this way, viz: The original treaty, as ratified by the President of the United States, shall be deposited at Peking, the capital of his Majesty the Emperor of China, in charge of the Privy Council; and, as ratified by his Majesty the Emperor of China, shall be deposited at Washington, the capital of the United States, in charge of the Secretary of State.

ART. III. In order that the people of the two countries may know and obey the provisions of this treaty, the United States of America agree, immediately on the exchange of ratifications, to proclaim the same and to publish it by proclamation in the gazettes where the laws of the United States of America are published by authority; and his Majesty the Emperor of China, on the exchange of ratifications, agrees immediately to direct the publication of the same at the capital and by the governors of all the provinces.

ART. IV. In order further to perpetuate friendship, the minister or commissioner, or the highest diplomatic representative of the United States of America in China, shall at all times have the right to correspond on terms of perfect equality and confidence with the officers of the Privy Council at the capital, or with the governors general of the Two Kwangs, the provinces of Fukkien and Chekiang or of the Two Kiangs; and whenever he desires to have such correspondence with the Privy Council at the capital he shall have the right to send it through either of the said governors general or by the general post; and all such communications shall be sent under seal, which shall be most carefully respected. The Privy Council and governors general, as the case may be, shall in all cases consider and acknowledge such communications promptly and respectfully.

ART. V. The minister of the United States of America in China, whenever he has business shall have the right to visit and sojourn at the capital of his Majesty, the Emperor of China, and there confer with a member of the Privy Council, or any other high officer of equal rank, deputed for that purpose, on matters of common interest and advantage. His visits shall not exceed one in each year, and he shall complete his business without unnecessary delay. He shall be allowed to go by land or come to the mouth of the Peiho, into which he shall not bring ships-of-war, and he shall inform the authorities at that place in order that boats may be provided for him to go on his journey. He is not to take advantage of this stipulation to request visits to the capital on trivial occasions. Whenever he means to proceed to the capital he shall communicate, in writing, his intention to the Board of Rites at the capital and thereupon the said board shall give the necessary directions to facilitate his journey and give him necessary protection and respect on his way. On his arrival at the capital he shall be furnished with a suitable residence prepared for him, and he shall defray his own expenses; and his entire suite shall not exceed twenty persons, exclusive of his Chinese attendants, none of whom shall be engaged in trade.

ART. VI. If at any time his Majesty the Emperor of China shall, by treaty voluntarily made, or for any other reason, permit the representative of any friendly nation to reside at his capital for a long or short time, then, without further consultation or express permission, the representative of the United States in China shall have the same privilege.

ART. VII. The superior authorities of the United States and of China in corresponding together shall do so on terms of equality and in form of mutual communication, (chankuan.) The consuls and the local officers, civil and military, in corresponding together shall likewise employ the style and form of mutual communication, (chankuan.) When inferior officers of the one government address superior officers of the other they shall do so in the style and form of memorial, (shen ching.) Private individuals, in addressing superior officers, shall employ the style of petition, (chingching.) In no case shall any terms or style be used or suffered which shall be offensive or disrespectful to either party. And it is agreed that no presents, under any pretext or form whatever, shall ever be demanded of the United States by China, or of China by the United States.

ART. VIII. In all future personal intercourse between the representative of the United States of America and the governors general or governors, the interviews shall be had at the official residence of said officers or at their temporary residence, or at the residence of the representative of the United States of America, whichever may be agreed upon between them; nor shall they make any pretext for declining these interviews. Current matters shall be discussed by correspondence, so as not to give the trouble of a personal meeting.

ART. IX. Whenever national vessels of the United States of America, in cruising along the coast and among ports opened for trade for the protection of the commerce of their country or for the advancement of science, shall arrive at or near any of the ports of China, commanders of said ships and the superior local authorities of government, shall, if it be necessary, hold intercourse on terms of equality and courtesy, in token of the friendly relations of their respective nations; and the said vessels shall enjoy all suitable facilities on the part of the Chinese government in procuring provisions or other supplies and making necessary repairs. And the United States of America agree that in case of the shipwreck of any American vessel, and its being pillaged by pirates, or in case any American vessel shall be pillaged or captured by pirates on the seas adjacent to the coast, without being shipwrecked, the national vessels of the United States shall pursue the said pirates, and if captured deliver them over for trial and punishment.

ART. X. The United States of America shall have the right to appoint consuls and other commercial agents for the protection of trade, to reside at such places in the dominions of China as shall be agreed to be opened; who shall hold official intercourse and correspondence with the local officers of the Chinese government, in a consular or vice-consular charge taking rank with an Intendant of circuit (or a prefect), either personally or in writing, as occasions may require, on terms of equality and reciprocity. And the consuls and local officers shall employ the style of mutual communication. If the officers of either nation are especially treated or aggrieved in any way by the other authorities, they have the right to make representation of the same to the superior officers of the respective governments, who shall see that full inquiry and strict justice shall be had in the premises. And the said consuls and agents shall carefully avoid all acts of offense to the officers and people of China. On the arrival of a consul duly accredited at any port in China, it shall be the duty of the minister of the United States to notify the same to the governor general of the province where such port is, who shall forthwith recognize the said consul and grant him authority to act.

ART. XI. All citizens of the United States of America in China, peacefully attending to their affairs, being placed on a common footing of amity and good will with subjects of China, shall receive and enjoy for themselves and everything appertaining to them the protection of the local authorities of government, who shall defend them from all insult or injury of any sort. If their dwellings or property be threatened or attacked by mobs, incendiaries, or other violent or lawless persons, the local officers, on requisition by the consul, shall immediately dispatch a military force to disperse the rioters, apprehend the guilty individuals, and punish them with the utmost rigor of the law. Subjects of China guilty of any criminal act towards citizens of the United States shall be punished by the Chinese authorities according to the laws of China; and citizens of the United States, either on shore or in any merchant vessel, who may insult, trouble, or wound the persons or injure the property of Chinese, or commit any other improper act in China, shall be punished only by the consul or other public functionary thereto authorized, according to the laws of the United States. Arrests in order to trial may be made by either the Chinese or the United States authorities.

ART. XII. Citizens of the United States, residing or sojourning at any of the ports open to foreign commerce, shall be permitted to rent houses and places of business, or hire sites on which they can themselves build houses or hospitals, churches and cemeteries. The parties interested can fix the rent by mutual and equitable agreement; the proprietors shall not demand an exorbitant price, nor shall the local authorities interfere, unless there be some objections offered on the part of the inhabitants respecting the place. The legal fees to the officers for applying their seal shall be paid. The citizens of the United States shall not unreasonably insist on particular spots, but each party shall conduct with justice and moderation. Any desecration of the cemeteries by natives of China shall be severely punished according to law. At the places where the ships of the United States anchor, or their citizens reside, the merchants, seamen, or others can freely pass and repass in the immediate neighborhood; but, in order to the preservation of the public peace, they shall not go into the country to the villages and towns to sell their goods unlawfully, in fraud of the revenue.

ART. XIII. If any vessel of the United States be wrecked or stranded on the coast of China, and be subjected to plunder or other damage, the proper officers of government, on receiving information of the fact, shall immediately adopt measures for its relief and security; the persons on board shall receive friendly treatment, and be enabled to repair at once to the nearest port, and shall enjoy all facilities for obtaining supplies of provisions and water. If the merchant vessels of the United States, while within the waters over which the Chinese government exercises jurisdiction, be plundered by robbers or pirates, then the Chinese local authorities, civil and military, on receiving information thereof, shall arrest the said robbers or pirates, and punish them according to law, and shall cause all the property which shall be recovered to be restored to the owners or placed in the hands of the consul. If, by reason of the extent of the territory and numerous population of China, it shall in any case happen that the robbers cannot be apprehended and the property only in part recovered, the Chinese government shall not make indemnification for the goods lost; but if it shall be proved that the local authorities have been in collusion with the robbers, the same shall be communicated to the superior authorities for memorializing the Throne, and these officers shall be severely punished, and their property confiscated to repay the losses.

ART. XIV. The citizens of the United States are permitted to frequent the ports and cities of Canton and Choo-choo or Swatow, in the province of Kwang-tung, Amoy, Fuh-chai, and Tachwan, in Formosa, in the province of Fukkien, Ningpo, in the province of Chekiang, and Shanghai, in the province of Kiang-su, and any other port or place hereafter by treaty with other powers or with the United States opened to commerce, and to reside with their families and trade there, and to proceed at pleasure with their vessels and merchandise from any of these ports to any other of them. But said vessels shall not carry on a clandestine and fraudulent trade at other ports of China not declared to be legal, or along the coasts thereof, and any vessel under the American flag violating this provision shall, with her cargo, be subject to confiscation to the Chinese government; and any citizen of the United States who shall trade in any contraband article of merchandise shall be subject to be dealt with by the Chinese government, without being entitled to any countenance or protection from that of the United States; and the United States will take measures to prevent their flag from being abused by the subjects of other nations as a cover for the violation of the laws of the Empire.

ART. XV. At each of the ports open to commerce, citizens of the United States shall be permitted to import from abroad, and sell, purchase, and export all merchandise of which the importation or exportation is not prohibited by the laws of the Empire. The tariff of duties to be paid by the citizens of the United States, on the export and import of goods from and into China, shall be the same as was agreed upon at the treaty of Wanghia, except so far as it may be modified by treaties with other nations, it being expressly agreed that citizens of the United States shall never pay higher duties than those paid by the most favored nation.

ART. XVI. Tonnage duties shall be paid on every merchant vessel belonging to the United States entering either of the open ports at the rate of four mace per ton of forty cubic feet, if he be over one hundred and fifty tons burden, and one mace per ton of forty cubic feet, if he be of the burden of one hundred and fifty tons or under, according to the tonnages specified in the register; which, with her other papers, shall, on her arrival, be lodged with the consul, who shall report the same to the commissioner of customs. And if any vessel, having paid tonnage duty at one port, shall go to any other port to complete the disposal of her cargo, or, being in ballast, to purchase an entire, or fill up an incomplete cargo, the consul shall report the same to the commissioner of customs, who shall note on the port clearance that the tonnage duties have been paid, and report the circumstances to the collectors at the other custom-houses; in which case, the vessel shall only pay duty on her cargo, and not be charged with tonnage duty a second time. The collectors of customs at the open ports shall consult with the consuls about the erection of beacons or light-houses, and where buoys and light-ships should be placed.

ART. XVII. Citizens of the United States shall be allowed to engage pilots to take their vessels into port, and, when the lawful duties have all been paid, take them out of port. It shall be lawful for them to hire at pleasure servants, compradors, linguists, writers, laborers, seamen, and persons for whatever necessary service, with passage or cargo boats, for a reasonable compensation, to be agreed upon by the parties or determined by the consul.

ART. XVIII. Whenever merchant vessels of the United States shall enter a port, the collector of customs shall, if he see fit, appoint custom-house officers to guard said vessels, who may live on board the ship or their own boats, at their convenience. The local authorities of the Chinese government shall cause to be apprehended all engineers or deserters from on board the vessels of the United States in China, on being informed by the consul, and will deliver them up to the consul or other officer for punishment. And if criminals, subjects of China, take refuge in the houses or on board the vessels of citizens of the United States, they shall not be harbored or concealed, but shall be delivered up to justice on due requisition by the Chinese local officers, addressed to those of the United States. The merchants, seamen, and other citizens of the United States shall be under the superintendence of the appropriate officers of their government. If individuals of either nation commit acts of violence or disorder, use arms to the injury of others, or create disturbances endangering life, the officers of the two governments will exert themselves to enforce order and maintain the public peace, by doing impartial justice in the premises.

ART. XIX. Whenever a merchant vessel belonging to the United States shall cast anchor in either of the said ports, the supercargo, master, or assignee, shall, within forty-eight hours, deposit the ship's papers in the hands of the consul or person charged with his functions, who shall cause to be communicated to the superintendent of customs a true report of the name and tonnage of such vessel, the number of her crew, and the nature of her cargo, which being done, he shall give a permit for her discharge. And the master, supercargo, or assignee, if he proceed to discharge the cargo without such permit, shall incur a fine of five hundred dollars, and the goods so discharged without permit shall be subject to forfeiture to the Chinese government. But if a master of any vessel in port desire to discharge a part only of the cargo, it shall be lawful for him to do so, paying duty on such part only, and to proceed with the remainder to any other ports. Or, if the master so desire it, he may, within forty-eight hours after the arrival of the vessel, but not later, decide to depart without breaking bulk; in which case he shall not be subject to pay tonnage or other duties or charges until, on his arrival at another port, he shall proceed to discharge cargo, when he shall pay the duties on vessel and cargo, according to law. And the tonnage duties shall be held due after the expiration of the said forty-eight hours. In case of the absence of the consul or person charged with his functions, the captain or supercargo of the vessel may have recourse to the consul of a friendly power, or, if he please, directly to the superintendent of customs, who shall do all that is required to conduct the ship's business.

ART. XX. The superintendent of customs, in order to the collection of proper duties shall, on application made to him through the consul, appoint suitable officers, who shall proceed, in the presence of the captain, supercargo, or assignee, to make a just and fair examination of all goods in the act of being discharged for importation or laden for exportation on board any merchant vessel of the United States. And if disputes occur in regard to value of goods subject to ad valorem duty, or in regard to the amount of tare, and the same cannot be satisfactorily arranged by the parties, the question may, within twenty-four hours, and not afterwards, be referred to the said consul to adjust with the superintendent of customs.

ART. XXI. Citizens of the United States who may have imported merchandise into any of the free ports of China, and paid the duty thereon, if they desire to re-export the same in part, or in whole to any other of the said ports, shall be entitled to make application, through their consul, to the superintendent of customs, who, in order to prevent fraud on the revenue, shall cause examination to be made, by suitable officers, to see that the duties paid on such goods as are entered on the custom-house books correspond with the representation made, and that the goods remain within their original marks unchanged, and shall then make a memorandum in the port clearance of the goods and the amount of duties paid on the same, and deliver the same to the officers of customs of the other ports; all of which being done on the arrival in port of the vessel in which the goods are laden, and everything being found, on examination there, to correspond, she shall be permitted to break bulk and land the said goods without being subject to the payment of any additional duty thereon. But if, on examination, the superintendent of customs shall detect any fraud on the revenue in the case, then the goods shall be subject to forfeiture and confiscation to the Chinese government. Foreign grain or rice brought into any port of China in a ship of the United States, and not landed, may be re-exported without hindrance.

ART. XXII. The tonnage duty on vessels of the United States shall be paid on their being admitted to entry. Duties of import shall be paid on the discharge of the goods, and duties of export on the landing of the same. When all such duties shall have been paid, and not before, the collector of customs shall give a port clearance, and the consul shall return the ship's papers. The duties shall be paid to the shores authorized by the Chinese government to receive the same. Duties shall be paid and received, either in silver or in foreign money, at the rate of the day. If the consul permits a ship to leave the port before the duties and tonnage dues are paid, he shall be held responsible therefor.

ART. XXIII. When goods on board any merchant vessel of the United States in port require to be transhipped to another vessel, application shall be made to the consul, who shall certify what is the occasion therefor to the superintendent of customs, who may appoint officers to examine into the facts and permit the transshipment. And if goods be transhipped without written permits they shall be subject to be forfeited to the Chinese government.

ART. XXIV. Where there are debts due by subjects of China to citizens of the United States, (Contract on Fourth Page.)

exert their good offices, on being informed of the case, to bring about an amicable arrangement of the question, thus showing their friendly feelings.

ART. II. In order to perpetuate friendship, on the exchange of ratifications by the President, with the advice and consent of the Senate of the United States, and by his Majesty the Emperor of China, this treaty shall be kept and secretly guarded in this way, viz: The original treaty, as ratified by the President of the United States, shall be deposited at Peking, the capital of his Majesty the Emperor of China, in charge of the Privy Council; and, as ratified by his Majesty the Emperor of China, shall be deposited at Washington, the capital of the United States, in charge of the Secretary of State.

ART. III. In order that the people of the two countries may know and obey the provisions of this treaty, the United States of America agree, immediately on the exchange of ratifications, to proclaim the same and to publish it by proclamation in the gazettes where the laws of the United States of America are published by authority; and his Majesty the Emperor of China, on the exchange of ratifications, agrees immediately to direct the publication of the same at the capital and by the governors of all the provinces.

ART. IV. In order further to perpetuate friendship, the minister or commissioner, or the highest diplomatic representative of the United States of America in China, shall at all times have the right to correspond on terms of perfect equality and confidence with the officers of the Privy Council at the capital, or with the governors general of the Two Kwangs, the provinces of Fukkien and Chekiang or of the Two Kiangs; and whenever he desires to have such correspondence with the Privy Council at the capital he shall have the right to send it through either of the said governors general or by the general post; and all such communications shall be sent under seal, which shall be most carefully respected. The Privy Council and governors general, as the case may be, shall in all cases consider and acknowledge such communications promptly and respectfully.

ART. V.